

REMARKS

Claims 1-14 are pending in the present application. By this Amendment, Claims 15-20 are canceled as being drawn to a non-elected invention. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendment and following remarks.

I. Prior Art Rejections:

Claims 1-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,410,200 to Williams et al. (hereafter “Williams”). This rejection is respectfully traversed.

Claim 1 is directed to, *inter alia*, a heat transfer material comprising a first meltable layer; a second meltable layer; and a release coating separating the first and second meltable layers.

Williams is directed to a coated transfer sheet comprising a first and second surface, a barrier layer and a release layer and an optional image receiving layer.

It is respectfully submitted that Williams fails to teach or suggest Applicants’ claimed invention. The present invention provides a heat transfer material having a first meltable layer a second meltable layer; and a release coating separating the first and second meltable layers wherein, when used, the first meltable layer releases from the release layer and is transferred to a second substrate, leaving the release layer and second meltable layer. As such, Applicants’ claimed release layer uses the conventional definition for a “release” layer. However, Williams uses an unconventional definition of a release layer, causing some confusion regarding what Williams is alleged to teach and what Williams actually teaches. Williams does not teach a transfer material having two layers that remain with a heat-transfer material substrate after an image is transferred with heat and pressure. In fact, the layer referred to as a “release” layer is actually the layer which is transferred to the second substrate (see, e.g. col. 9, line 16). Calling this layer a “release” layer is unconventional. The conventional use of this term is to describe a layer that releases, not an adhesive layer that is transferred to a second substrate. Instead, Williams describes the layers that remain adhered to the heat-transfer material substrate as “barrier layers”. Thus, although the layers that remain attached to the heat-transfer material substrate are referred to as release coatings in US 5,798,179, which is relied on in Williams, they have been re-named and

called barrier layers in Williams. The layer which is adjacent to the release layer of US 5,798,179 is transferred to the second substrate. This layer is renamed in Williams and called a "heat activated release layer", although it is actually transferred in the heat transfer process. In fact, on page 4 of the office action, the Examiner acknowledges that the release layer of US Williams does transfer. As stated in the present application, the present invention comprises two layers which remain attached to the heat-transfer material substrate: a meltable layer and a release coating, as well as one or more meltable layers on the opposite side of the release layer. Because the two layers that remain attached to the carrier substrate conform to the receiver substrate in the heat transfer process, the image transfer can be accomplished with the transfer of less meltable polymer, resulting in a good image with a more natural fabric feel. Accordingly, as Williams fails to teach or suggest these remaining layers and the resultant advantages, it is respectfully submitted that Williams fails to teach or suggest Applicants' claimed invention.

For at least the reasons given above, Applicants respectfully submit that Claim 1 is allowable over the art of record. Furthermore, since Claims 2-14 recite additional claim features and depend from Claim 1, these claims are also allowable over the art of record. Accordingly, Applicants respectfully request withdrawal of this rejection.

II. Conclusion:

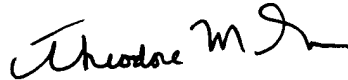
For at least the reasons given above, Applicants submit that Claims 1-14 define patentable subject matter. Accordingly, Applicants respectfully request allowance of these claims.

The foregoing is submitted as a full and complete Response to the Office Action mailed March 20, 2003, and early and favorable consideration of the claims is requested.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicants' representative at the telephone number listed below.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Theodore M. Green". The signature is fluid and cursive, with the first name "Theodore" being more prominent.

By: Theodore M. Green
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